IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 30TH MAY 2007 / 9TH JYAISHTA 1929

Bail Appl..No. 3150 of 2007()

CRIME NO180/2007 OF BALUSSERY POLICE STATION

PETITIONER/ACCUSED

1. M.SOMAN, S/O.DAMODARAN NAIR,
"SAJAS", KINALUR.P.O., BALUSSERY,
KOYILANDY TALUK.

2. ABDUL SALAM.P., S/O.MOIDEENKUNHI,
ONAMVAYALIL HOUSE, KINALOOR P.O., BALUSSERY VIA,
KOYILANDY TALUK.

3. KUNJIPPA @ ABOOBACKER, S/O.MOOSA,
THOTTITHODI HOUSE, M.M.PARAMBA P.O.,
UNNIKULAM VIA, KOZHIKODE.

4. K.K.CHANDRAN, S/O.KUNHIKRISHNAN NAIR,
ESTATE QUARTERS,THECHI, M.M.PARAMBA P.O.,
UNNIKULAM.

5. V.K.HUSSAINKUTTY, S/O.MAYINKUTTY HAJI,
VARUVINKALAYIL HOUSE, VALIYAPARAMBA P.O.,
KODUVALLY VIA, VAVAD AMSOM, PANAKODE DESOM.

6. THECHI AMMED, S/O.MUHAMMED,
ESTATE QUARTERS, THECHI,
M.M.PARAMBA P.O., UNNIKULAM VIA, KOZHIKODE.

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENTS: COMPLAINANT/STATE

1. THE SUB INSPECTOR OF POLICE,
BALUSSERY POLICE STATION, KOZHIKODE RURAL.

2. STATE REP.BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRIP.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No.3150 /2007

Dated this the 30th day of May, 2007

O R D E R

Petitioners who are the accused in Crime No. 180/2007 of Balussery Police Station for offences punishable under Sections 143, 147, 341, 323, 324, 353 and 502(ii) read with section 149 I.P.C., seek anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioners to surrender before the Investigating Officer for the purpose of interrogation and then to have their applications for bail considered by the Magistrate having jurisdiction. Accordingly, the petitioners shall surrender before the investigating officer on any day between 6.6.2007 and 8.6.2007 for the purpose of interrogation and recovery of incriminating material, if any. The petitioners shall thereafter be produced on the same day before the Magistrate who shall consider their applications for regular bail preferably on the same date on which such applications are filed.

This petition is disposed of as above.

V.RAMKUMAR, JUDGE

CSS/